FAST TRAIN DITCHED

Appalling Disaster on the Lake Shore Railroad

NEAR CLEVELAND, OHIO

REPORTED EVERY CAR BUT ONE LEFT THE TRACK.

Twenty-One Dead and Others Injured-Twentieth Century Limited Making Nearly 75 Miles an Hour.

CLEVELAND, Ohio, June 22.-While traveling at the rate of seventy miles an hour the Twentieth Century Limited, the fastest long-distance train in the world, ran through an open switch at the little town of Mentor, east of Cleveland, at 9:30 o'clock last night, causing one of the most horrible wrecks in the history of the Lake Shore

The engine was hurled into the ditch. A part of the train was crushed on top of it, and the wreck was partly burned. The horrors of the wreck were doubled in the horrors of the fire.

More than a score of people were killed and injured and the famous train was demolished.

The train was crowded, practically all its accommodations being taken when it left the city. It was behind time and the greatest of speed was being made to make up the lost time.

List of Dead and Injured.

The dead:

CLEVELAND, Ohio, June 22 .- Following s a revised list of the dead and injured:

C. H. Wellman, general manager of the Wellman-Seaver-Morgan Engineering Company of this city; Thomas R. Morgan of the same company, burned to death; Archibald P. Head, London, England, prominent Engish steel man; E. C. McCleng, manager the Wheeling Corrugating Company, New York; John R. Bennett, patent attorney, New York city, burned to death; A. L. Rodgers, Platt Iron Company, 93 Liberty street, New York, died at hospital; H. H. Wright, traveling man, Chicago, died at hospital; William B. Mickey, address unknown; F. J. Brandt, 964 Willow avenue, Toledo, died at hospital; S. C. Beckwith, 117 174th street. New York city, advertising agent, died at hospital; J. H. Gibson, Chicago, traveling man; N. B. Walters, Hamburg, N. Y., baggage master; A. L. Johnson, millinery manufacturer, Cleveland; Allen Tyler, engineer, Collinwood, crushed under engine; John A. Bradley, 55 Oakdale street, Akron, died at hospital; D. J. Arbaugh, Milwaukee; L. M. Eirick, manager of Keith's Theater at Cleveland; Henry Trinz, New York, barber on buffet car; five unidentified dead.

Injured: Aaron Gorham, No. 9 Rose avenue, Norwalk. Ohio, fireman; may recover. Rudolf Ricardau, Brooklyn, N. Y., will J. H. Langdon, Chicago, reported in crit-

ical condition.
F. D. Countiss, president of S. B. Chapin & Co., Chicago, slightly bruised; injuries

not serious. Among those who died at the hospitals in this city early today were Charles H. Wellman, general manager of the Wellman-Seaver-Morgan Company of Cleveland; man-seaver-Morgan Company of Cleveland;
Allen Tyler, engineer of the wrecked train;
J. A. Bradley, a prominent attorney of
Akron, Ohio; A. P. Head, representative
of the Otis Steel Company in London, and
F. J. Bryant, a trainman of 904 Wilson
avenue, Toledo, Ohio. L. M. Eirick, manager of Keith's Theater here, who was a

passenger on the wrecked train, is missing, and it is feared that he may be among the unidentified dead. D. C. Moon, assistant general superintendent of the Lake Shore road, after investigating the cause of the wreck, made

this statement today: Malicious Intent Suspected.

"I have made a careful and thorough examination. The switch was open. I am

satisfied that somebody, having a key, opened the switch with malicious intent. The train did not jump the track." General Manager W. H. Marshall of the Lake Shore road expressed the opinion to-

day that the wreck of the Twentieth Century Limited train was deliberately planned by some unknown person throwing the switch at Mentor.

Mr. Marshall said that the first train, fast or slow, to pass the switch, must necessa-

rily have been wrecked, and that there was no possible way to guard against the same. The evidence, he said, showed with-out doubt that the switch had been thrown against the train and was locked open. According to the report of the operator at Mentor the switch signal light showed white at the moment the limited approach ed it, indicating a clear track. The fact that the light showed white, while the switch was against the train, Mr. Marshall ism of the switch was tampered with. Fireman Gorham, who suffered serious in-juries, and is in a Cleveland hospital, declared to Mr. Marshall today that the 12:47 signal light showed white. The switch was found to be in perfect condition immediately after the wreck. Mr. Marshall went

to Mentor today, and will make a rigid perschal investigation as to the cause of the disaster. It is now believed to be almost certain that L. M. Elrick, manager of Keith's The-

ater, in this city, lost his life in the wreck. A gold watch, partially melted, was found in the ruins of the burned cars today bearing inscriptions which indicate that it was

the property of Mr. Eirick. Railway Man's Statement.

Assistant General Superintendent D. C. Moon of the Lake Shore, on the scene of the wreck, gave out the following statement early today:

"So far as can be learned, the switch was opened and locked open by some party unknown, probably a crank, and evidently for malicious purposes. Train No. 10, a fast east-bound train, passed through the same switch forty-five minutes ahead of No. 26, and it was all right at that time. It is positive that no other train or engine, either freight or passenger, passed through the switch but No. 10 and No. 26." Traveling at a rate of more than a mile

doom with a momentum that was appalling. The scene of the accident was at the Mentor depot. The switch that caused the trouble is located about 130 yards west of the depot. As the heavy engine struck the switch, the engine left the main track and swung violently to the left.

For a distance of 20 yards the engine ran

on the rails, and then, leaping from the track, turned on its side just to the east of the depot. The momentum was such that the heavy tender was hurled entirely over the engine and was buried in the depot.

The combination car was hurled with terrific violence on top of the engine and tender, and in a moment was enveloped in flames from the engine.

Sleeper Crashed Into Depot.

The Chicago sleeper, which was immediately behind the combination car, swung from the track, and, crashing into the depot, was completely buried in the wreck of The Evening Star.



No. 16,341.

WASHINGTON, D. C., THURSDAY, JUNE 22, 1905-TWENTY PAGES.

SECRETARY TAFT.

of the Trip and Personnel of

the Expedition.

Several changes have been made in the

personnel and itinerary of the party which

will accompany Secretary Taft on his visit

of inspection to the Philippine islands this

summer. According to the new schedule

make a tour of the bay, as he particularly

desires to inspect the new immigration de

tention camp. On Friday evening Mrs. Eleanor Martin will give a reception.

Departure of the Manchuria.

The next day, Saturday, July 8, the Man-

set sail for Honolulu, where they will ar-

rive on or about July 15. The date of ar-

rival in Yokohama is about July 26. From

be taken from the steamer in the royal

kachts of the mikado to Tokyo for a three days' visit in the palace. The details of

these entertainments are not yet completed. They will proceed by rail, at the end of this

visit, to Kobe and board the Manchurla when she reaches that port on July 30. They will reach Nagasaki August 2 and

Miss Roosevelt and Miss Boardman will be entertained in Manila by Gen. and Mrs.

Millan will be the guests of Gen. and Mrs. Henry C. Corbin. On the evening of August 7 the Gov. Gen. and Mrs. Wright will

give a reception; on Tuesday, August 8, the chamber of commerce will give a ban-

quet; on Wednesday Gen. and Mrs. Cor-bin will give a reception in the Army and

Navy Club; on Thursday Archbishop Harty will give a dinner in the archbishop's pal-

ace; Friday evening a banquet will be given

by a number of prominent Filipinos; on Saturday, August 12, the citizens' commit-tee will give a ball, and that will close the

official functions so far scheduled in Ma-

Members of the Party.

The party as now made up consists of

Secretary Taft, Miss Alice Roosevelt, Miss

Mabel Boardman, Miss Amy McMillan, Miss

Helen Patten. Senator and Mrs. Du-

bois of Idaho, Senator and Mrs.

Newlands of Nevada, Senator and Mrs.

Scott of West Virginia, Representative and Mrs. Grosvenor of Ohio, Representative and

Mrs. DeArmond of Missouri, Representative and Mrs. Driscoll of New York, Represen-

tative and Mrs. Loud of Michigan, Representative and Mrs. McNary of Massachu-

setts. Representative and Mrs. Parsons and

Representative and Mrs. Payne of New York, Representative and Mrs. George W. Smith of Illinois, Mr. and Mrs. Emile God-

chaux of New Orleans, Mr. and Mrs. Charles F. Joy of St. Louis, Mr. and Mrs. Charles of Des Moines, Miss Critten of Staten Is-land, N. Y; Mr. J. G. Schmidlap and Miss Schmidlap of Cincinnati, Mr. Charles Clark

and Miss Clark of Hartford, Conn.; Sena-

tors Foster of Louisians, Long of Kansas, Patterson of Colorado, and Warren of

Wyoming, Representatives Cochran of New

York, Cooper of Wisconsin, Curtis of Kan-sas, Foss of Illinois, Gilbert of Indiana, Gil-

bert of Massachusetts, Howard of Georgia, Longworth of Ohio, McKinley of Illinois,

Pedigo, William S. Reyburn of Washing-ton, Roger K. Wetmore of Rhode Island,

Arthur S. Woods of Groton, Mass.; Fred E. Warren of Wyoming, Stuyvesant Fish, jr., Charles C. Stillman of New York, Col. William C. Church, Burr McIntosh and Allen G. Hoyt of New York.

DEGREE FOR MRS. FAIRBANKS.

Rev. Dr. Welch Installed President of

Ohio University.

DELAWARE, Ohio, June 22.-Rev. Dr.

Herbert Welch, until recently pastor of the

Methodist Episcopal Church at Mount Ver-

non, N. Y., and widely known in the east,

was today formally installed as president of

the Ohio Wesleyan University at this place.

The ceremonies were simple, and included

brief addresses by distinguished guests, the

presentation of the keys of the university

to the new president, and his inaugural ad-

During the morning the regular com-

mencement exercises were held, 123 degrees

being conferred on the graduating class and

a number of honorary degrees being an-

nounced. Each speaker represented a par-

Bishop Henry Spellmyer of Cincinnati

voiced the greetings of the Methodist Epis-

copal Church; President Hunt of Dennison

University, Granville, Ohio, spoke for the

Ohio colleges; Governor Myron T. Herrick

represented the state of Ohio; Vice Presi-

Jones, Ohio commissioner of education, spoke for the state educational interests, and Prof. Rollin H. Walker of the class of

1888 welcomed the new chief on behalf of

Chairman D. S. Gray of the board of trustees spoke for that body, and in their name formally presented to President Welch the keys of the university.

Mrs. Cornelia Cole Fairbanks of the class of 1872, wife of Vice President Fairbanks,

President Edwin Holt Hughes of Depauw University received the degree of doctor

ticular interest or organization.

the faculty.

onard Wood and Miss Patten and Miss Mc-

Manila on August 6.

TWO CENTS.

HELD TO BE INVALID

DECISION BY JUDGE HENDERSON ON PRIMARY ELECTION LAW.

ROCKVILLE, Md., June 22.-The hearing in the case of Willis B. Burdette, chairman of the republican county committee for this county, against the supervisors of elections, which was an action brought to restrain the supervisors from holding the approaching primaries under the provision of the primary law passed at the last session of the legislature, was resumed in the circuit court here today before Judges Henderson and Motter. That interest in the matter has not abated was shown by a large at- He Will Have No Part in Negotiations tendance of representative members of both parties at the opening of the case several weeks ago.

A general demurrer to the bill filed was overruled, and the attorney for the supervisors was given until today to file his swer. The bill alleged that the law as signed by the governor was not the one that passed the legislature, and that certain changes made between the time it passed the legislature and its presentation to the governor were such as to open the doors for fraud and corruption. That the section in which the errors occurred should be stricken out, thus rendering the law in-operative, null and void. It was also alleged that the measure is unconstitutional for several reasons.

The answer admits that errors crept in, but denies that the charges were fraudu-lently made or that they give legal sanc-tion to fraud, and contends that the court should strike out the clauses that were changed and not the entire sections. The unconstitutionality of the act is also denied. The testimony in the case heard today simply showed that the changes had been made, and it was established that the engrossing room of the house of delegates was responsible. Chief Clerk Smith of the house of dele-

gates, Walter A. Johnson, member of the house from this county; Albert J. Almoney reading clerk of the state senate, and Rob ert G. Hilton, clerk to the board of county commissioners for this county, were the witnesses heard. Thomas Dawson and Alexander Kilgour, for Mr. Burdette, and Thomas M. Talbot,

for the board of supervisors, argued the case at considerable length. Judge Henderson announced that the court held the act to be invalid, and stated that a written opinion would be filed later.

The case will be taken to the court of

RECEIVED MANY CALLERS.

Secretary Hay Congratulated by Visiting Diplomats.

Secretary Hay has relieved Secretary Taft of the important function of "holding down the lid" during the absence of President Roosevelt from the national capital. He spent today at his desk in the State Department as usual, and had a host of callers.

This is diplomatic day in the departmental routine, and practically all the foreign representatives in the city impro portunity to call on Secretary Hay and ussure him of their personal gratification at his restoration to health. Among those who Mayor des Planches, the Italian ambassa-dor; Gen. Morteza Khan, the Persian minister; Senor Calderon, the Bolivian minister; Senor Walker-Martinez, the Chiean minister; Senor Calvo, the minister from Costa Rica; Senor Portela, the minister from the Argentine Republic; Mr. Brun, the minister from Denmark; Baron Bussche-Haddenhausen, charge of the German embassy; Senor Veloz-Goiticoa, the Venezuelan charge, and Mr. Adhemar Delcoigne, secretary of the Belgian legation.

In accordance with an unbroken custom the Secretary received all of these visitors separately in turn in the large diplomatic room adjoining his private office.

Owing to the extremely hot weather it is probable that Secretary Hay will leave here tomorrow afternoon for his summer home on Lake Sunapee, N. H., and com plete the "rest cure," prescribed by his phy-sicians. While there he will be in easy access of the mails and telegraph, and can readily transact any important business requiring his personal attention.

TO MEET ENGINEER WALLACE. Chairman Shonts of the Canal Commission Goes to New York.

Chairman Shorts of the isthmian canal commission went to New York last night. where it is expected Engineer Commissioner Wallace will arrive from Panama today. Secretary Taft will be in New York Sunday and has arranged for a conference with Mr. Wallace. While the object of Mr. Wallace's sudden return to the United States is not known, further than the statement that it is on urgent personal business, there is some anxiety felt as a result from the press dispatches from Panama indicating that he intends to sever his connection with the canal project, and the Secretary has taken the earliest moment available to personally ascertain the facts.

Retired as a Rear Admiral. Capt. Harry Knox, recently on duty in this city as a member of the naval examining and retiring board, has been placed on the retired list of the navy with the rank of rear admiral in accordance with the provisions of section 1443 of the Revised Statutes, authorizing advancement in rank to officers who served creditably during the war of the rebellion. Admiral Knox entered the navy from Ohio in March, 1863, and rose through the various grades to that of captain in September, 1901.

Capt. Anderson to Go to Philippines. Capt. Edward Anderson, 7th Cavalry, having completed the transfer of public property at Fort Myer, Va., has been ordered to San Francisco in time to sail with his regiment to the Philippine Islands about

the 30th instant. Assigned to the General Staff.

By direction of the President the following named officers of the army have been detailed as members of the General Staff

Col. James T. Kerr, military secretary; Lieut. Col. Benjamin Alvord, m'litary secretary; Maj. Erasmus M. Weaver, Artillery Corps, and Capt. George W. Read, 9th Cav-

War Department, and Col. Read has been ordered to this city for duty. Maj. Weaver has been ordered to report to the command ing general, Atlantic division, for duty as an assistant to the chief of staff of that

Must Not Act as Agents.

Postmaster General Cortelyou today issued an order prohibiting employes at any post office from acting as agent or collector for any firm which manufactures letter-carriers' uniforms.

Two Consular Appointments.

The appointments of Winfield S. Boynton of Colorado as United States consul at Georgetown, Guiana, and of Herbert R. Wright of Iowa consul at Utilia, Honduras, were announced at the State Depart- ber of a large number of historical societies

St. Petersburg Opinion That It Rests With Japan.

PEACE PARLEY PLANS

COUNT CASSINI TO LEAVE HERE UPON ROSEN'S ARRIVAL.

-Nelidoff May Not Serve Ow-

ing to Infirmities.

ST. PETERSBURG, June 22.-The Russ says it is authorized to say that Count Cassini, the retiring Russian ambassador at Washington, will not participate in the peace negotiations, but will leave the United States immediately on the arrival of Baron Rosen, his successor.

From independent sources the Associated Press confirms the statement of the Russ that Count Cassini will have no part in the peace negotiations.

Foreign Minister Lamsdorff is indisposed. It is understood his condition is not serious, but his physician was called in last night and ordered the minister not to leave his bed room today. There is no intimation, however, that this will appreciably delay the pending negotiations. The question of a temporary suspension of hostilities seems to rest with Japan. In the meantime the chancellories of St. Petersburg and Tokyo are occupied with the selection of the plenipotentiaries. As stated in these dispatches ast night, it can now be regarded as settled that they will number three on each side. An important consideration requiring adjustment is the desire of each country to appoint negotiators of equal rank, and this increases the probability that M. de Witte, president of the committee of ministers, may be one of the Russian plenipotentiaries if Japan names the Marquis Ito, president of the Japanese privy council. It is possible that M. Nelidoff, the Russian

ambassador at Paris, may not go to Washington. As dean of the Russian diplomatic corps he was the first choice of the foreign office, but he is of advanced age and his health is not robust. Besides, M. Nelidoff s an exceedingly bad sailor, and it is still an open question whether he may not ask to be relieved of his mission. In such an event it is considered certain that Baron Rosen will be appointed.

SENATOR MITCHELL'S TRIAL.

Strange Plea Entered by Plaintiff's Counsel at Portland.

PORTLAND, Oregon, June 22.-It was a strange plea presented by Judge Bennett of counsel for Senator John H. Mitchell. made social or business calls were: Baron on trial in the federal court for complicity in land frauds, in his opening statement to the jury. Practically admitting the offense against the law by the senator, as charged. in making money out of the performance of his public duties. Judge Bennett attempted to touch the heartstrings of his auditors, in whose hands his client's fate

> He called attention to Senator Mitchell's long residence in Oregon, his quarter cen-tury service in the United States Senate, his age and venerable appearance, and the numerous family ills that have lately befallen him. Senator Mitchell, said his counsel, is very careless in his habits. He is not a business man. He gave too much of his time to others' work and may have made mistakes in mixing work for the department at Washing-ton, for which he received pay, with labor for which he was given no remuneration.

NO SIGNS OF SETTLEMENT.

Chicago Teamsters' Strike Still Unset-

tled-Terms at Variance. CHICAGO, June 22 .- The teamsters' strike showed practically no signs of settlement by mediation today. A second conference between the peace committee appointed by the teamsters' joint council and John V. Farwell, jr., representative of the Employers' Association, hinged upon the decision of the committee and international executive board to accept or reject the terms of the employers. These terms are so at variance with the strikers' demands that an agreement seem-

THE CHINESE BOYCOTT.

ed wellnigh hopeless.

Viceroy at Tientsin Issued an Order on the Subject.

TIENTSIN, June 22.-Viceroy Yuan has prohibited students from holding meetings in reference to the boycotting of American manufactured goods and has also issued a strong proclamation against merchants with affairs in the hands of the government.

Washingtonians in New York. F. M. Bristol, V. P. De Knight, W. E. Hutton, Astor House; W. B. Mathews, York; Mr. and Mrs. W. Worsley, D. McConville, A. Z. Palmer, Navarre; J. C. Dowell, P. Walker, H. T. Holmes, F. B. Spence, Imperial; H. M. Young, Astor; H. Ulke, jr., Herald Square; H. A. Brown, Grand Union; Mrs. Moorhead, Albemarle.

Reprieve for Hoch.

SPRINGFIELD, Ill., June 22.-Gov. Deneen will grant a reprieve to Johann Hoch, sentenced to hang tomorrow for wife murder. The reprieve will be granted so that Hoch's case can be taken to the Illinois supreme court. This is the closing day of the present term of the court.

Against Merger of Cities. PHILADELPHIA, Pa., June 22.-The supreme court to day issued a permanent injunction restraining the merging of the cities of Pittsburg and Allegheny City.

New Cases of Yellow Fever. Gov. Magoon has notified the War De-

partment of the following additional cases of yellow fever on the isthmus: James Morgan, American negro, twenty-six, policeman, Panama, sickened June 12; Russel Viditoe, American, twenty-six, nonemploye, Panama, sickened, June 14; Felipe Echverria, Colombian, thirty-five, non-employe, Colon, sickened June 15; John R. Williams, American, thirty-seven, clerk, Panama, sickened June 16. Gov. Magoon reports no deaths and the following recov-Nicolai, Bargenese, Matamoras,

Gen. Darling Dead.

UTICA, N. Y., June 22.-Gen. Charles W. Darling of this city died at Asbury Park, N. J., today. He was a corresponding memthe building. The violence of the crash was

(Continued on Tenth Page.)

The building the violence of the crash was

(Continued on Tenth Page.)

The violence of the crash was

(Continued on Tenth Page.)

The violence of the crash was

(Continued on Tenth Page.)

The violence of the crash was

(Continued on Tenth Page.)

The state Department, returned at the State Department, re

BOUND FOR THE ORIENT PARTY THAT WILL ACCOMPANY

Jury Brought Into Court Several Changes Made in the Itinerary Again Today.

THE COURT'S QUESTIONS

COUNSEL OBJECTS UNLESS NO COUNTS HAVE BEEN AGREED ON.

the party will leave this city June 3), at 5:30 o'clock p.m., on a special train over | Court Asks for Authorities and Thinks the Baltimore and Ohio railroad, arriving ' It is Not the Proper at Chicago the next afternoon about the same hour. They will remain in Chicago Practice. only two hours, leaving there over the

Chicago and Northwestern road at 7:30. The train will leave Omaha on July 2 at Up to a late hour this afternoon a verdict 9:40 a.m. over the Union Pacific; leave rad not been reached in the case of William Ogden, Utah, at 2:55 a.m. on July 4 and G. Crawford, who was on trial for more reach San Francisco on the morning of than four weeks on the charge of having July 5. During the three days' stay in conspired with August W. Machen and that city many entertainments have been arranged for the party.

Thursday there will be an excursion to Redwoods, over the Northern railroad, to the Bohemian camp. The president of the road and Mrs. Foster will be the hosts of that occasion. The camp is located about George E. Lorenz to defraud the United States in connection with a contract for supplying the Post Office Department with letter carriers' satchels and straps. The jury retired shortly before 4 o'clock last that occasion. The camp is located about eighty miles north of San Francisco. In Tuesday afternoon to consider a verdict. the evening of that day the commercial bodies of San Francisco will give the party a banquet in the Palace Hotel. On Friday, July 7, the secretary and his party will The twelve men were called before the court a few minutes after 3 o'clock yesterday afternoon, having then been out nearly twenty-four hours without result. Foreman John Shugrue asked permission to take to the jury room the two contracts between Lorenz and the Postal Device and Lock Company, and requested further instruction regarding count number one of the indictment. The requests were granted. churia, with its distinguished party, will Further, the court volunteered a statement to the effect that in the case of a divided jury the minority should weigh well the opinions of the majority, whether that majority be for conviction or acquittal. there the official party of the secretary will

Today's Proceedings.

Soon after the opening of court this morning Attorney Worthington, who was present, was told to notify Crawford to appear, as it was the intention to summon the jury into court. The jurors filed in at 10:27 o'clock. "Mr. Foreman, has the jury been able to

agree as yet?" the court inquired. "Your honor, the jury has not been able to agree, and I am afraid, your honor, that it is a hopeless case," Foreman Shugrue replied. "It is utterly impossible. We have replied. "It is utterly impossible. We have been at it for forty hours now, and it is utterly impossible for this jury to agree."
"I shall submit two series of questions to the jury," the court then announced. "They are contained on separate sheets, one marked page 1 and the other marked page 2, and I shall ask the jury to answer one or the other of these series of questions

from the evidence. You need not answer did Crawford agree with Lorenz and Machen, or either of them, that a portion of the proceeds received by Lorenz should be paid to Machen? Then there is a blank space for the answer to be written in.
"Second, if yes, then did the parties to
the agreement intend to influence either
the award of the contract for satchels or

one or the other of these series of questions

the execution after it was awarded by the payment of money to Machen? Then there s a blank for the answer. The other series is this: "First, did Crawford agree with Machen and Lorenz, or either of them, that Machen should use his official position for the pur-pose of influencing either the award of the satchel contract to the Postal Device and Lock Company or the execution of such a contract after it was awarded? There is a blank space here for the answer for that,

after you find it. "If yes, then did the parties to the agreement agree that a portion of the proceeds received by Lorenz should be paid to Machen? There is a blank for the answer to

that. "Now, understand, gentlemen, what mean by this. There are two questions on this sheet and there are two questions on that sheet. Now, from the evidence, answer, if you can, one or the other of all the questions on one of these sheets; not on both of them."

Mr. Worthington's Exceptions.

Longworth of Ohlo, McKinley of Illinois, Otjen of Wisconsin, Scott of Kansas, Scherley of Kentucky and Wiley of Alabama, Col. Clarence R. Edwards, chief of the insular bureau; Maj. Guy L. Edle, Capt. J. K. Thompson, Gen. T. H. Bliss, Capt. William Kelly, James A. LeRoy of Durango, Mexico; John F. Stevens, Fred W. Carpenter, private secretary to Secretary Taft; W. R. Bedien William S. Parkhure of Wischer. "One moment," Attorney Worthington said at this point. "Will your honor ask this jury if they are agreed upon any one of the three counts which have been submitted to them?" "No, not at this time," was the answer.

"Very well," Mr. Worthington, continu-ng, said. "To the submission of each of these questions to the jury the counsel for the defendant objects, and excepts to the action of the court in overruling the objection and allowing the questions to be asked. This objection and exception are made separately and severally to each question. "In addition to that, the counsel for the

defendant objects to the proceeding of submitting questions to the jury in this way and excepts to the order of the court "Your honor said, in reference to my

inquiry as to whether you would ask the jury if they had agreed upon a verdict upon any one of the counts, that you would not do that now. I do not care to take any exception to it if your honor contemplates that it may be done later on if there is an occasion for it."
"No; I have not contemplated it," the

court remarked. "I have not thought about "I will reserve, then, for the present pur-

poses, your honor, an exception to your honor's refusal to ask the jury whether they have agreed upon any of the three counts submitted to them," Attorney Worthington explained. "Your honor see from what took place yesterday that it is quite possible that the jury may have agreed upon a verdict of not guilty as to the fifth and sixth counts and that they are troubled only about the first; and I think that in that case, of course, they should render their verdict on the fifth and sixth counts. It will be a great hard-ship if this defendant should be called dent C. W. Fairbanks, who graduated here in 1872, was the speaker for the alumni; Dr. W. V. Kelly of New York, editor of the Methodist Review, spoke for the press; J. M. Pattison of Cincinnati of the class of 1869 represented the business world; E. A. Jones, Ohio commissioner of education, upon to be tried over again on certain counts when the jury has heard all the evidence and is satisfied that he is not guilty on them and is ready to say so. I do not know that that is in their minds; I only infer it from what took place yesterday."
"If you have any authorities on that prop. osition you may submit them," the court stated. "It is a point that I never had

brought to my attention before."
"That has been done here, your honor,"
Attorney Worthington added. "I do not
know that I can recall the case."
"I do not know of any authorities on the
point, and I shall not so decide that question unless you produce some authorities to the effect that it is the proper practice, the court decided. "I do not think it is."

was given the honorary degree of master of arts, the same degree being conferred on Miss Mariana Young of Japan. President Guy Potter Benton of Miami University and Contract for Furniture Awarded. The Postmaster General has awarded the of divinity. Others receiving the divinity doctorate included Dustin Kembl of Buenos Ayres, James William Magruder of Portland, Me.; William Albert Mansell, president of Bareilly Theological Seminary of India; John F. McConnell of Brooklyn, and Christian R. Havinghorse of Findlay, Ohio. The degree of doctor of laws was conferred on

dagree of doctor of laws was conferred on former Gov. Geo. W. Atkinson of West Vir-ginia, Prof. A. E. Doibar of Tufts College, Massachusetts. Frank W. Gunsulus of Chi-cago, Charles E. Jefferson of New York city and Prof John W. White of Harvard College. Rev. J. L. McElroy of Columbus, Ohio, Assistant Secretary Oliver of the War

HABEAS CORPUS PETITION DE-NIED BY CIRCUIT COURT JUDGE.

BRATTLEBORO, Vt., June 22.-The habeas corpus petition of Mrs. Mary M. Rogers, under sentence of death for the murder of her husband, was denied by Judge Wheeler, sitting as a justice of the United States circuit court today.

In his opinion Judge Wheeler criticised the proceedings of the state with reference to Mrs. Rogers and her case. He could not see, however, that he was justified in ordering her discharge from custody. It is understood that an appeal to the United States Supreme Court will be taken and that pending a decision by that body, Mrs. Rogers, whose reprieve by the governor ex-

pires tomorrow, will not be hanged. Later Mrs. Rogers' attorneys formally his readiness to grant it, but said he would not sign the necessary papers until 4 o'clock this afternoon in order that Gov. Bell might have an opportunity again to reprieve Mrs Rogers. At the same time the judge declared that if the governor did not grant a further reprieve the court would issue an order returning Mrs. Rogers to the custody of the United States marshal pending a decision on the appeal.

Counsel for Mrs. Rogers said this morning that she would not be hanged tomorrow

ATTRACT LITTLE ATTENTION. Official Comment on Mr. Bowen's Latest

Statement.

inder any circumstances.

The sensational charges of Herbert W. Bowen, United States minister to Venezuela until dismissed recently by President Roosevelt, are attracting but little attention in Washington. The administration regards the case as having been closed with the dismissal of Mr. Bowen, and government officials are not inclined to enter into even an informal discussion with Mr. Bowen as to the merits of the claims which he has made. and the charges and allegations he is expected to make in the future.

Mr. Bowen's charges were fully ex pected by government officials here, although it was not known just what course Mr. Bowen would pursue in his effort to have his side of the case put before the public.

Mr. Bowen's charge, made in the statement he issued yesterday, that an offer of promotion was made to him by the State Department soon after he had filed the charges against Mr. Loomis, and that this action was an effort to bribe him, and that he refused to leave Caracas be-cause he desired to investigate the charges against Mr. Loomis, is characterized as absolutely absurd. In the first place, it is pointed out, Mr. Bowen at that time was not offered a promotion, but he was merely told that, owing to his unpleasant relations with the government officials of Venezuela. he might have the mission as minister to chile. He was told that he could go to chile or stay in Caracas, just as he chose Nothing was said to him at that time concerning any plans of the President to ultimately make him the ambassador to Brazil, and he did not know such was the President's intention until just before he was recalled to Washington. A transfer to Chile could scarcely be termed a promo-tion, and Mr. Bowen was told that he could

do as he pleased about going.

Mr. Bowen refused to make the change. saying that he did not care to leave Ven-ezuela under fire, thereby giving President Castro, his bitter enemy, the satisfaction of having him desert the Venezuelan capital. It was stated emphatically today that no offer of promotion was made to Mr. Bowen at the time of which he speaks.

FOUND DEAD AT HIS HOME.

Wilmer Beavers' Death Near Alexandria to Be Investigated. Special Dispatch to The Star.

ALEXANDRIA, Va., June 22.-Wilmer Beavers, a middle-aged resident of Fairfax county, was found dead at his home near this city this morning under circumstances which will be investigated by a coroner's jury and probably by the county court. William Simpson, about forty years old, a neighbor of the dead man, has signified his willingness to give himself up for a hearing in connection with the affair, but he had not been taken into custody up to this afternoon. Simpson and Beavers, it is stated, had trouble Saturday night near Beavers' bome, when Simpson struck Beavers over the head with the butt end of a shotgun.

It is stated that Beavers went home from this city drunk and ran his wife and five little children out of the house. The noise attracted the attention of Simpson, whose home is close to his neighbor's and he started to investigate. His appearance, it is said, enraged Beavers, who fired at him with a shotgun. When the two were close together Beavers pointed the gun at Simpson and

again pulled the trigger, but the weapon failed to go off. Simpson, it is stated, then wrested the gun from Beavers and struck im over the head with the breech, inflicting a scalp wound. coming to this city and receiving surgical attention. His wound was not considered necessarily serious, but he pulled the dressing off and behaved like a madman.

Getting more liquor, he returned to his home, when his wife was unable to do anything with him. Mrs. Beavers and the children had to remain away from home, but last night about 12 o'clock she returned, finding her husband raving. This morning early she again visited the premises and discovered the dead body of Beavers prone on the floor. Magistrate Richard Triplett has

been notified, and an inquest will be held this evening. Beavers and Simpson are both well known here. Excepting his drinking habits, Beavers had a good reputation, as has Simpson. The latter has a large family.

INTERCOLLEGIATE REGATTA.

Georgetown and Wisconsin Crews Expected at Poughkeepsie Today. Special Dispatch to The Star.

POUGHKEEPSIE, N. Y., June 22.-With the arrival of Georgetown and Wisconsin today, the six colleges which will compete in the intercollegiate regatta will be here. Wisconsin, it is understood from the meager reports which have reached the east, has one of the best combinations to represent her in the senior event that has ever been sent here. This report, however, has been heard so many times, when the Badgers have finished well in the rear on the day of the race, that the coaches do not fear the westerners to any great de-

The Postmaster General has awarded the contract for rural free delivery furniture for the four years begining July 1, 1905, to the Dolton Furniture Company of High Point, N. C. The prices are: For routing table No. 1, \$4.75; for No. 2, \$5.50; stools. 33 cents; F. O. B. High Point or for No. 1, \$7.25, and No. 2, \$8, including stools, deliverable at any post office.

Return of Gen. Oliver.

The Badgers will have the sympathy of the great majority of the people who are not directly attached to any of the colleges. They always do. People admire their spirit, and feel that it should be rewarded by a win in one or the other of the events. Even the college men, after giving their best wishes to their own institution, as is natural, say: "If we don't win we would like to see Wisconsin get something out of the race."

Assigned to the 25th Infantry.

Showers and cooler tonight; tomorrow fair, cooler; southwest to northwest winds.

Weather.

THE MARY ROGERS CASE CONTINUOUS OVATION

President the Guest of Williams College Today.

FROM THE STEPS OF CHURCH AT WILLIAMSTOWN.

Feature of Exercises Was the Confering of Honorary Degree-Speeches

dent Roosevelt, who reached here last evening after a busy day at Worcester, spent the night at the home of President Henry Hopkins of Williams College, which nstitution today will confer upon the President the somewhat unusual degree of L. H. D., (doctor of letters). The weather this morning was cloudy, but there was a promice of fair skies. The town is filled with visitors, which include large numbers of the college alumni and relatives and friends of the graduates.

!The President, who was greatly refreshed by a quiet night's rest, faced a day of activity, which, according to arrangements, called not only for his participation in the caned not only for his participation in the commencement exercises, but the delivery of an address to the people of Williamstown, an early departure on his return to Washington, with speeches to be made at North Adams and Pittsfield, and possibly other places, as his train passed through. other places, as his train passed through.

Drove Over the City.

During the morning the President and his party were driven about the town and into the Berkshire country beyond. Former Secretary of War Root and former Ambassador Joseph H. Choate, who were here to receive the degree of LL.D. from Williams College, were members of the party.
The cordiality of the people was displayed at every point as the President passed. The drive ended in time to give the President a few moments leisure before the procession was formed on the college grounds prior to the commencement exercises in the Congregational Church.

Long before the hour fixed for the exercises the church was thronged. As the

academic procession, headed by the Presi-dent and Dr. Hopkins, entered the church the audience rose and remained standing until the President was seated on the platform Feature of Exercises.

The feature of the exercises was the conferring of the honorary degrees. Prof. Richard Austin Rice, on behalf of the board of trustees bestowed President, former Secretary Root and former Ambassador Choate, the recipients of degrees included Stephen B. L. Penrose of Whitman College, state of Washington,

doctor of divinity.

Each one named was cordially received by the audience, the President's reception amounting to an ovation. President Roosevelt delivered a short address and at the conclusion of the exercises the President proceeded to the steps of the church where

he addressed a large assemblage. Off for North Adams.

At the close of his address to the public the President had luncheon and shortly afterward boarded his special train for North Adams.

EQUITABLE LIFE CASE

DISTRICT ATTORNEY JEROME EN-TERED INTO THE INVESTIGATION.

NEW YORK, June 22.-District Attorney Jerome of New York county has entered into an investigation of the Equitable Life Assurance Society trouble, and today telegraphed to State Superintendent of Insurance Hendricks, asking him to forward at once official copies of his report.

The district attorney would make no statement as to his intentions in the mat-

Governor Promises Support. ALBANY, N. Y., June 22.-Gov. Higgins has notified District Attorney Jerome that he could rely upon executive co-operation in any action he might take as the result of Superintendent Hendricks' preliminary report on the affairs of the Equitable Life

Assurance Society. In discussing the re-

port this morning the governor said: 'I have not sufficiently examined, and no man could determine in one reading, just what future action is desirable. We at the present time have many laws that it would seem from a casual examination have been violated, some very old, older than our own. 'Thou shalt not steal,' for instance. I have sent a communication to District Attorney Jerome, inclosing a copy of the re-port, and stating that if there was suf-ficient evidence to prove the guilt of any one connected with that company I should

be pleased to co-operate, giving any assistance I might be able. "Honesty and a fair deal," continued the governor, "are the things much needed in insurance management. Mutualization may improve conditions in the Equitable, but it cannot correct them altogether. I think that the investments of life insurance com-

panies should be standardized.' STARTLING DISCLOSURES.

Further Developments Expected From Insurance Department.

SYRACUSE, N. Y., June 22.-Further ineresting and startling developments may be expected before Superintendent of Insurance Francis Hendricks gets through with the Equitable Life Assurance Society. The report just submitted by Mr. Hendricks is only a preliminary one, which does not contain many matters relating to the management that are under investigation, but are unfinished. These lines of investigation may produce, is it understood, as interesting exhibits as those to which investigation has been completed sufficiently to be included in the preliminary report.

It is understood that the experts of the

state insurance department who are at work on the society's books will require four and possibly five months to complete their examination of the company's financial af-Whether in the meantime another pre-

liminary report will be presented is uncertain. Mr. Hendricks said today: "You may notice that this is a preliminary report on the investigation of the Equitable Scelety. At a meeting in New York in May I stated to a number of insurance commis-sioners from different states that I would be able to present a report on its management by June 15. In consequence of this state-ment I felt obliged to submit this report before I had fully completed the investigation.
There are several matters in reference to
the management that are not finished and
of which I was unable to get the facts for

ADDRESSED ASSEMBLY

on the Return Trip.

WILLIAMSTOWN, Mass., June 22.-Pres-